

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
v.) Case No. 04-CR-10065-MLW
)
CLARENCE EARLE)

DISMISSAL OF COUNT TWO OF INDICTMENT

The government respectfully dismisses, pursuant to Fed. R. Crim. P. 48(a), Count Two of the Indictment against defendant Clarence Earle, which charged him with a violation of 18 U.S.C. §1001. As grounds therefor, the government states that the prosecution of the referenced count is not necessary to further the interests of justice.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Seth P. Berman
SETH P. BERMAN
Assistant U.S. Attorney

August 12, 2005

LEAVE TO FILE GRANTED:

HON. MARK L. WOLF
United States District Judge

Dated: _____

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the person listed below a copy of the foregoing document by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery:

Charles Rankin
Rankin and Sultan
One Commercial Wharf North
Boston, MA 02110

This 12th day of August 2005.

/s/ Seth P. Berman
Seth P. Berman
ASSISTANT U.S. ATTORNEY